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Vol. XIII. No. 2447

A Bulletin Want Ad. will tell the news quickly and cheaply

HONOLULU, TERRITORY OF HAWAII, MONDAY, MAY 4, 1903

**ADVERTISING** 

Without judgment is like shooting at the squawk of of a wild goose flying in the dark .-- Honolulu Ad.

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PRICE 5 CENTS

# Appeal Court Decisions In Pearl Harbor Land Case And Primo Beer License Attorney General Gives ments published in Friday's Bulletin has served to arouse officials and business men to some definite or organized ness men to some definite or organized

SAN FRANCISCO, Cal., May 4 .- To Assistant District Attorney Dunne Honolulu: Honolulu plantation judgment reversed. Error admitting testimony capacity mill and pumping plant and, specially, value tract to plantation Remanded new trial. Jury trial upheld. Ross, judge. Have notified Department. License case appeal dismissed, lack of jurisdiction on constitutional

Two decisions have thus been rendered by the Ninth Circuit Court of Appeals upon judgments in the United States District Court for the District of Hawaii. Assistant District Attorney J. J. Dunne received the information by cable from Captain Pond. U. S. N., this morning.

Judgment for \$102,000 and odd in the condemnation suit against Honolulu Plantation Company, for land required for the Pearl Harbor Naval Station, is reversed by the appellate court and a new jury trial ordered. This is the first adverse decision Judge Estee has sustained in his nearly three years of presiding over the Federal Court. It comes from his having yielded to the importunity of counsel for the defendant in admitting certain testimony.

In the case of the Primo beer license law, the appeal from Judge Estee' decision making the law void is dismissed. Mr. Dunne considers the wording of the cablegram relative to this case as somewhat ambiguous, but takes it to mean that the judgment of the trial court is affirmed. It makes little differ ence now to the public, since the Legislature has passed a new beer licens law without the provisions that Judge Estee found invalidated the former one The suit was brought by the general liquor interests against Treasurer W. H. Wright, to restrain him from issuing Primo beer licenses.

Mr. Dunne represented the United States in the land condemnation case and the plaintiffs in the beer case, assisted in the latter by Robertson & Wil-

der. Hatch & Silliman were attorneys for the defendants in both cases. Mr. Silliman understands the words of the cablegram differently to Mr Dunne's interpretation. He says that as the appeal did not raise the question of jurisdiction of the appellate court but of the trial court, the decision prob ably dismisses the bill and leaves the beer law as it stood before the pr ceedings began.

#### **Judge Robinson Charges Grand Jury To** Be Free From Revenge

Judge Robinson delivered his charge tiquity, once quick, now dead, but no to the Grand Jury this afternoon at yet reduced to its native dust.

1:30. The principal features of the The much-lauded grand jury system charge follow: became engrafted upon the Constitu-Gentlemen of the Grand Jury: All that has thus far been said or amendment (one of the ten original place.
Lublished concerning the grand jury amendments engrafted at the same Stalled Again. system has been of praise, because of time) at a session of the first Congress its alleged benefits and strenuously as- of the United States in 1789, but it is to make the footings in the Appropriaserted advantages, and it would be of doubtful if such an amendment were tion Bill for unpaid bills. After some little avail for me at this time, alone presented for the first time to the Fifand unsupported by precept or prece- ty-eighth Congress it would obtain sufdent, to call attention to its many dis-advantages and absurdities. The cost-tion. ly, cumbersome and dilatory nature of Janus-Faced Courts. the entire grand jury system and its doubtful utility, as a means of protective that with the greater develoption to the citizens of a State from unjust accusations and unfounded criminal charges—in view of the protection afforded by the right of trial by jury stitutions in the same manner and to

with

public onenses, seem to have been lost

sight of in the halo of glory which sur-

rounds the system like the luminous

resting place of some dear departed, as

a necessary incident to a relic of an-

and the writ of habeas corpus—as well the same extent as are now being elimas the partial character of its investi-inated in some of the States those othgations in hearing only and arriving at er anachronisms, terms of court and likely to be interested, in securing the ty sides to the same court.

ron vs. The Mayor, etc., of Baltimore, 7 Peters, 243, in an opinion written by exhalation which hovers over the last Chief Justice of the United States Su-Mr. Chief Justice Marshall, the Great

(Continued on Page 4)

KASH

# **LIGHT HOUR LAW**

Senators Opinion On Subject.

APPROPRIATION FIGURES ARE NOT ADDED UP

CANDLESS RESOLUTION FOR ROAD DAMAGES—RECESS TA-KEN TO OBTAIN PROP-ER FIGURES.

SENATE.

Extra Session.

Fourth Day Senator McCandless presented a re-port of the Public Lands Committee, event the judgment-claimant, or any recommending that the item of \$100, one claiming through him, shall have into their respective desks since the 000 for road damages, all Islands, be the preferential right to purchase, at clerk was still lacking a number of reseduced to \$25,000. to be considered with the current appropriations. Pay of Police.

Senator Achi presented the following report of the Judiciary Committee signed by himself and Senator Woods: Your Judiciary Committee, to whom the appropriations for police and prison lunas were referred, respectfully

"We consulted the Attorney General and the High Sheriff, and they inform us that they do not believe the 8-hour part of this report.

however, may apply to a few places, week to take some action, such as turnkeys in station house, Oahu prison, Wailuku prison, Hilo prison and Lihue prison, and Hono-

lulu patrol wagon drivers. "We therefore recommend that we should make appropriations for those tion of the United States by the fifth places, giving one more man in each

A recess was taken as on Saturday time was spent without obtaining a result, the Senate at 10:35 took recess

A special venire of trial jurors has been drawn in the United States District Court, who have been summoned so far as possible by Marshal E. R. of those who are interested, or who are

| Janus-faced courts of justice, with disconsisting of those who are interested, or who are interested, or who are interested, or who are interested, or who are interested in the face of the large o Hendry. One of the names is that of Territory, but the Marshal had to take vessel It has been held in the case of Bar all as drawn from the regular list. The Naval Row was a pretty piece of work.

dar. This is the list: Harry L. Evans, A. W. Howe, T. A. effect that the vessel went out with-Lloyd Sr., Thomas Lindsay, C. R. Colout a pilot. ins, James J. Harvey, F. H. Foster, Edward J. Hoke, A. S. Cleghorn, A. o; August Gramberg, Frank Johnson, owing to the absence of Assessor Will-Harry T. Broderick, Waimea, Hawaii, fong of the Island of Hawaii, who is ex-They are to appear at 10 a. m. on pected to arrive in the steamer Mauna

#### Trying To Start

BOND ISSUE AND

#### Fire Claims Coin

action which will get the fire claims noney and bonds in circulation.

This morning Secretary Carter, under authority from the Governor, formally called for bids on the bonds claimants, the notice being published elsewhere in this paper. This call is HARRIS DISCOVERS A made under the following regulation made by the Secretary of the Interior

"In event of no bids being received ursuant to the public notice, herein authorized, or should the bids received not provide, in the judgment of the Governor of the Territory, for the pur-chase of a sufficient number of bonds. or in case of the rejection of all pro posals for the purchase of bonds, or of a portion of the proposals and the ac-ceptance of others, the Governor of the Territory is authorized, in his discredisposed of at not less than their facevent the judgment-claimant, or any Speaker asked the members to look the bonds unsold."

It will be seen from the terms of the

could not be taken by business organizations which would facilitate the speedy payment of the money to claimants. Mr. Harris thinks that the Territory could well afford to appropriate \$30,000 to secure the placing of the local business on the introduced in the Upper House on the introduced in the Upper House on the interest of the local business or t taken up. Prominent officers of the On motion of Mr. Kumalac, the res Merchants' Association and Chamber ofution was laid on the table to be con

Young, one of the well known Young cold. brothers, added another life-saving Another communication from feat to the already long list of exploits of this kind performed by the Upper House, which provides an ap-

channel near the Myrtle boat house. He was clinging to the rail of the canoe but its flapping sail was worrying him the table to be taken up with the Loan very much and the poor old fellow did or general Appropriation Bill: not have the strength to climb into his

Young immediately went to his res man when he was almost exhausted.

#### THERE WAS A PILOT.

panel is for the purpose of trying the Captain Saunders has the credit for roads damaged by storm; \$2.500 for remaining criminal cases on the calendoing this. He acted as the pilot not repairs to bridges; \$2.000 for new culwithstanding the fact that the morn verts; \$4,000 for road machine; \$400 Gerald Hughes, David K. Hoapill, ing paper makes the statement to the

The Board of Equalization session is A. Hobson, Honolulu; Frank Silva, Hi- postponed until Wednesday morning

#### SENT REPORT BACK TO THE COMMITTEE

Appropriation Bills Not Yet Before Hoose of Representatives.

#### FLAW IN WORDING

RESOLUTIONS BY PAELE AND KU PIHEA-SUM OF \$75,000 WANTED FOR A NEW ROAD.

> HOUSE. Extra Session.

Fourth Day. After the regular preliminaries, th Laid on the table not less than their face value, any of olutions given out for report during the regular session of the Legislature

regulation that the Governor will re-three Circuit Judges which was read in the Senate the other day was read Representative Harris also started out this morning to see if some action could not be taken by husbane action.

1st inst., relating to the Loan Bill and us that they do not believe the 8-hour the honds, the idea being that the Terlist inst., relating to the Loan Bill and law applies to policemen, as more fully ritory shall pay the difference between the keeping of the appropriations unappears in the opinion of the Attorney the price of the bonds at par and the der the same within the bounds set by General hereto attached and made a figure at which they will be promptly the Organic Act.

"Through said consultation, we be Merchants' Association and Chamber of ution was laid on the table to be con leve, that the law shall not affect the of Commerce were seen and it is probpolice force on other Islands; the law, able meetings will be called during the malae stated that the Senate had already taken action on the Loan Bill and had been filled with appropriations to the amount of \$2,500,000, which was the fimit set by the Organic Act. Where would the House get off with the appropriations it wished to insert On Saturday morning last Herbert it would certainly be left out in the

Senate accompanied Bill No. 5 of the brothers during their sojourn here. propriation for the expenses of the At about 8:30 a. m., the brothers Senate during the extra session. The noticed an old native who had fallen bill was read first time by title, passed. out of his cance at the entrance of the and placed on the order of the day for tomorrow.

Resolution by Mr. Kupihea, laid on Resolved, That the sum of \$75,000 be

inserted in the Appropriation Bill for cue in a launch and picked up the old the purpose of purchasing the right of way of extending and macadamizing a new road from School and Liliba streets to the Kamehameha IV road, Kalihi.

Resolutions by Mr. Paele, laid on The British cruiser Amphion left for the table to be considered with the 1. Sum of \$4.250, repair of Puunui

road and Wyllie street. 2. Sum of \$4,500 for repairs to repairs to bridges; \$2,000 for new cul

# White and Colored Vests

Dressy vests for summer

White ones, - - \$1.00 upward

They're cool and nobby for swell dressers.

### **Manchurian Situation** Is Less Warlike

[Associated Press Special Cable.]

WASHINGTON, D. C., May 4.-The correspondence of the State Departnent with Russian officials has served to relieve the tension existing since Russian made its radical demands upon China for cession of Manchuria. The statement was given out today that the situation is very much improved

#### Colorado Greets Roosevelt

[Associated Press Special Cable.]

DENVER, Colo., May 4.-President Roosevelt has been given an uproariut reception by the people of Colorado from the time his train first came within the borders of the State. Crowds have assembled at every station and all along the route small gatherings cheered the passing Chief Executive . The re-

### Edward's Farewell to France

[Associated Press Special Cable.]

PARIS, France, May 4.-King Edward took formal leave of President Louet and French officials today at Cherbourg. The visit of England's king has been attended with marked demonstrations of good feeling which are highly

## Revolutionary Leader Lands

[Associated Press Special Cable.]

CARACAS, Venezuela, May 4.-The revolution in Venezuela has been givn a new impetus by the landing of General Matos, the noted revolutionary leader. Mates will endeavor to reorganize the revolutionists and make a fight

## Kentucky Feud Killing

JACKSON, Ky., May 4.--J. B. Marcum, a prominent attorney of Jackson, as today shot and killed by an unknown man. The killing is believed to be due to a feud of long standing.

SIX OF CREW DROWNED.

[Associated Press Special Cable.] NEW YORK, N. Y., May 4.—Six members of the crew of the brig San Souwere drowned in a fierce storm encountered by the vessel.

TURKISH I ROOPS KILLED.

[Associated Press Special Cable.] SALONICA, May 4.-A fierce battle between revolutionists and Turkish troops occurred today. Then Turkish officers were killed in the fight which was the most sanguinary yet experienced.

KAISER REVIEWS TROOPS.

[Associated Press Special Cable.]

ROME, Italy, May 4.-The chief incident in Kaiser Wilhelm's visit to Italy's king today was his participation in a review of troops. One hundred pressed steel cars are

to be delivered to the Pennsylvania Railroad Company every day during institution if the women met to sew, the current half year

The Kalia bridge will be closed from May 4th until further notice. See By Authority.

#### W. R. CHILTON,

Co., Ewa side Fort street, where he will be pleased to see all his old customers

Have your goods shipped by

## WELLS, FARGO & CO.

Note our low rates from San Francisco:

Of Fort street, Odd Fellows' Building, On 5 Lbs., - \$.70 On 40 Lbs., \$1.40 On 50 Lbs., - 1.50 On 50 Lbs., 1.50 On 75 Lbs., 1.50 On 75 Lbs., 2.10 On 30 Lbs., - 1.25 On 100 Lbs., 2.75

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#### **Dress Oxfords**

of ideal kid, dull finish, flexible, hand turned sole, I 5-8 in. French heel, plain toe. These possess all the grace, style and fit of a regular \$6.50 shoc.

Our Price \$4 50

Ideal Kid, 1 1-2 in. Cuban heel, medium toe. Very latest style and very handsome Our pri o c \$4.50

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Our clothing is what you won't find in many stores, for we are satisfied with a small profit and will prove it by your trying one of our ready-to-wear suits No two prices for one

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